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THE JUDICIARY AND THE PEOPLE. By Frederick N. Judson. New Haven: Yale University Press. 1913. pp. 270.

As the title indicates, this is not a law book. It is, however, a book of interest to lawyers. It begins with a discussion of the independence of the judiciary and the separation of the powers of government, and then by an easy transition passes to the relation of the judicial to the legislative power. In this earliest part of the book, the ground covered and the authorities used are much the same as in the first chapter of Thayer's *Cases on Constitutional Law*, with the addition, however, of matter indicating how it has happened that in the countries of continental Europe the doctrine of separation of powers has been so construed as to free the legislative and executive departments from control by the ordinary courts (pp. 18-23, 45-47, 54-56, 86-87). The book then discusses the judiciary in the United States and the recall of decisions and of judges. Here the more striking passages deal with the anomaly of framing the federal judiciary act in such way as to cause the favorable decisions of state courts as to federal questions to be free from review by the Supreme Court of the United States (pp. 142-145), and with the comparatively liberal attitude of the United States Supreme Court towards the exercise of police power by the states (pp. 145-149). The view elaborated as to recall of decisions or of judges is the view commonly termed conservative, and it is presented skilfully. The book concludes with a discussion of the need of reform in judicial procedure. Here again the tone is conservative, the suggestions not going beyond those with which the members of the American Bar Association are well acquainted. Yet, notwithstanding lack of novelty, this part, like the others, is well worth reading as a presentation of important matter by a lawyer unusually scholarly and clear.

HISTORY OF ROMAN PRIVATE LAW. Part II, Jurisprudence. Vols. I and II. By E. C. Clark. Cambridge, England: Cambridge University Press. 1914. pp. xiv, 802.

THE MECHANICS OF LAW MAKING. By Courtenay Ilbert. New York: Columbia University Press. 1914. pp. viii, 209.

COMMENTARIES ON THE LAW OF EVIDENCE IN CIVIL CASES. Vols. IV and V. By Burr W. Jones. San Francisco: Bancroft-Whitney Company. 1914. pp. ix, 976, 1157.

A SHORT HISTORY OF FEUDALISM IN SCOTLAND. By Hugh B. King. Glasgow: William Hodge and Company. 1914. pp. xxvii, 242.

THE LAW OF ASSOCIATIONS. By Herbert A. Smith. Oxford: Oxford University Press. 1914. pp. xv, 168.

LISTS OF SUBJECTS OF AMES COMPETITION BRIEFS CONTAINED IN THE HARVARD LAW SCHOOL LIBRARY.¹

AGENCY — Ratification of a fire insurance policy after loss.

BILLS AND NOTES — Recovery by bank of money paid in cashing a forged and a raised cheque.

CONFLICT OF LAWS — Decree of divorce ordering conveyance of land in another state as alimony; does it bind courts of situs?

¹ See this issue of the REVIEW at page 737.

CORPORATIONS — Right of a director interested in a contract of the corporation to vote as shareholder to ratify the contract.

ELECTIONS — Plurality of votes cast for a disqualified person. Right of next highest candidate to the office.

EQUITABLE CONVERSION — If the purchaser in an option contract dies, should his heir or his executor exercise the option?

EQUITABLE JURISDICTION — A street railway has a contract with a labor union and its members; will equity enjoin a threatened strike?

EVIDENCE — Hearsay rule — Declarations of intention as to contents of a will.

FRAUDULENT CONVEYANCES — If an insolvent insures his life and the premium is paid by a friend, can the creditors of the insured get the proceeds of the policy?

INTERPLEADER of two tax-collectors seeking to tax the same personality.

LARCENY — Asportation — Defendant changes label on chattel held by carrier who consequently delivers to defendant.

LIMITATIONS — A debt and the mortgage lien thereunder are both barred by the Statute of Limitations; can the mortgage be revived by the mortgagor's grantee, who was never liable on the debt?

MISTAKE — Failure of written covenant in lease to express material part of oral contract. Reformation or rescission.

PUBLIC SERVICE COMPANIES — Exclusive privilege granted by terminal company to cab company to solicit patronage.

PUBLIC SERVICE COMPANIES — Carriers — Ejectment of passenger after wrongful refusal of ticket and failure to tender cash fare.

PUBLIC SERVICE COMPANIES — Innkeepers — Refusal to receive prizefighter on vacation.

QUASI-CONTRACTS — Must execution creditor refund money paid at the sale for a chattel not the debtor's?

SALES — Express refusal to warrant. Liability for delivery of goods differing in kind from the contract specification.

TORTS — Defamation by will not seen till after testator's death. Liability of the estate.

TORTS — Accidental injury to plaintiff while defendant is violating a cruelty to animals statute.

TRUSTS — Extra dividends in stock and cash; principal or income?

TRUSTS — Liability of bank for allowing trustee to deposit to his personal account, cheques payable to him as trustee.